

MINUTE ITEM

36. CONTROVERSY WITH ORANGE COUNTY OVER OWNERSHIP OF TIDE AND SUBMERGED LANDS - W.O. 2274.2.

After consideration of Calendar Item 39 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS DIRECTED TO AUTHORIZE THE OFFICE OF THE ATTORNEY GENERAL TO CONSENT TO THE REQUEST FOR DISMISSAL IN THE ACTION COUNTY OF ORANGE, PLAINTIFF vs. STATE OF CALIFORNIA, ET AL., DEFENDANTS, (ORANGE COUNTY SUPERIOR COURT ACTION NO. 70717.

Attachment
Calendar Item 39 (1 page)

SUPPLEMENTAL CALENDAR ITEM

39.

CONTROVERSY WITH ORANGE COUNTY OVER OWNERSHIP OF TIDE AND SUBMERGED LANDS -
W.O. 2274.2.

On February 9, 1956 (Minute Item 2, page 2585), the Commission was informed of a pending proposal by the Board of Supervisors of Orange County to lease or contract for the production of oil or gas by that county or its designates from all of the tide and submerged lands lying offshore in Orange County.

At that time the Executive Officer was authorized, with the assistance of the Attorney General, to oppose the issuance of any leases or contracts by the Board of Supervisors of Orange County for the production of oil and gas in tide-and-submerged-land areas, and to take such action as might be advisable under the circumstances.

Continued staff and Attorney General opposition to the assertion of County claims to the tide and submerged lands resulted in the filing of an action, County of Orange vs. State of California; The State Lands Commission, et al. Numerous interrogatories, depositions and procedural documents were filed in this action.

On September 14, 1960, by Resolution No. 60-948, the Orange County Board of Supervisors voted unanimously to abandon the litigation. The necessary Request for Dismissal has been prepared, has been approved as to form by the office of the Attorney General and by attorneys for private defendants.

IT IS RECOMMENDED THAT THE COMMISSION DIRECT THE EXECUTIVE OFFICER TO AUTHORIZE THE OFFICE OF THE ATTORNEY GENERAL TO CONSENT TO THE REQUEST FOR DISMISSAL IN THE ACTION COUNTY OF ORANGE, PLAINTIFF vs. STATE OF CALIFORNIA, ET AL., DEFENDANTS, ORANGE COUNTY SUPERIOR COURT ACTION NO. 70717.